

Austin, Texas, February 28, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 517, A bill to be entitled "An Act to incorporate Star School District in Mills and Hamilton counties as an independent district, and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Paulus, Chairman; Johnson, Astin, Real, Darwin, Wiley, Weinert, Cowell.

Austin, Texas, February 28, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 517, A bill to be entitled "An Act to incorporate the Star School District in Mills and Hamilton counties as an independent district, and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Paulus, Chairman; Johnson, Astin, Real, Darwin, Wiley, Weinert, Cowell.

Austin, Texas, February 28, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 332, A bill to be entitled "An Act to create the South Park Independent School District in Jefferson county, Texas,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Paulus, Chairman; Johnson, Astin, Real, Darwin, Wiley, Weinert, Cowell.

PETITIONS AND MEMORIALS.

By Lieutenant Governor Mayes:

Telegram from Beaumont Advertising League conveying information that a

mass meeting of Beaumont, Texas, business men had endorsed the Katy consolidation bill with a request that same be passed over the Governor's veto.

By Senator Townsend:

Letter signed by officers and members of Brotherhood of Railway Trainmen of Smithville, Texas, endorsing the Katy consolidation bill and urging its passage.

By Senator Bailey:

Petition signed numerous by citizens and notaries public of Harris county expressing opposition to the Senate bill which seeks to reduce notary fees, and urging that same be not passed.

By Senators McNealus and Westbrook:

Copies of resolutions passed by the young people of Dallas through the mediums of certain church organizations expressing favor of Senate bill No. 211, regulating Sunday amusements and urging that the bill be passed.

By Senator Paulus:

Numerous petitions signed numerous by citizens of various Texas communities requesting the Legislature to submit to popular vote constitutional amendments providing for a tax equal to its full rental value on all land (excepting homesteads) held for speculation or not in actual cultivation, and further, that certain classes of property be exempted from taxation by vote of the people.

THIRTY-SIXTH DAY.

Senate Chamber.

Austin, Texas,

Saturday, March 1, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum being present, the following Senators answering to their names:

Bailey.	Lattimore.
Brelsford.	McGregor.
Carter.	McNealus.
Collins.	Morrow.
Conner.	Murray.
Cowell.	Paulus.
Darwin.	Terrell.
Gibson.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Watson.

Weinert.
Westbrook.

Wiley.

Absent.

Astin.
Nugent.
Real.

Taylor.
Willacy.

Absent—Excused.

Greer.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending further reading of the Journal of yesterday, on motion of Senator Bailey, the same was dispensed.

EXCUSED.

On account of sickness in family:

Senator Nugent, for today and Monday, on motion of Senator Lattimore.

Senator Real, for yesterday and today, on motion of Senator Cowell.

Senator Taylor, for today and Monday, on motion of Senator Warren.

On account of important business:

Senator Brelsford, for non-attendance on last Thursday, on motion of Senator Warren.

Senator Willacy, for today, on motion of Senator Gibson.

Senator Astin, for today and Monday, on motion of Senator Watson.

SIMPLE RESOLUTION.

By Senator Townsend:

I move that Senate bill No. 371 be withdrawn from the Committee on Agricultural Affairs and that the same be referred to the Committee on State Affairs.

The resolution was read and adopted.

BILLS AND RESOLUTIONS.

By Senator Lattimore:

Senate bill No. 385, A bill to be entitled "An Act to punish the making or use of false statements to obtain property or credit."

Read first time and referred to Judiciary Committee No. 2.

By Senator Brelsford:

Senate bill No. 386, A bill to be entitled "An Act to create a more efficient road system for Howard county, and making the county commissioners of said county

ex-officio road commissioners, and prescribing their duties as such, and providing for the compensation as such road commissioners; and providing the manner of working of road hands in the matter of the performance of the road work by the payment of the sum of \$3,00; and providing further, making this law cumulative of the general laws, and in case of conflict this act to govern as to Howard county, Texas, and fixing a penalty for the violation of this act and repealing all laws in conflict with this act, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Gibson (by request):

Senate bill No. 387, A bill to be entitled "An Act to repeal Chapter 9 of the General Laws of the Fourth Called Session of the Thirty-first Legislature of the State of Texas, approved September 6, 1910, known as the State Insurance Law, and to provide conditions upon which fire insurance companies may hereafter transact business in the State of Texas, and to create the State Fire Insurance Commission, and to prescribe its duties and authority, and the duties and authority of each member thereof, and to fix the salaries of the members, and to provide for their appointment and removal, and to provide that hereafter the rate of premiums to be charged by fire insurance companies in this State shall be fixed and determined and promulgated exclusively by said State Fire Insurance Commission, and to prohibit any such fire insurance company from collecting or receiving any premiums on account of policies of fire insurance issued by them, unless the rates of such premiums have been so fixed and determined and promulgated by said State Fire Insurance Commission; to provide certain conditions and limitations on fire insurance contracts or policies, and providing penalties for violations of provisions of this act, and appropriating money necessary to carry out its provisions, and declaring an emergency."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator Gibson (by request):

Senate bill No. 388, A bill to be entitled "An Act to define the offense of a tenant selling agricultural products on which there is a landlord's lien, and providing punishment therefor."

Read first time and referred to Judiciary Committee No. 2.

By Senator Lattimore:

Senate bill No. 389, A bill to be entitled "An Act to authorize stock yards receiving or unloading livestock, or in shipping livestock, to issue certificates to the owner thereof, or persons in charge, and weighers of livestock connected with such yards; to issue certificates of weight; and to authorize commission men buying and selling livestock to issue their accounts of purchase, or accounts of sale, to be used in evidence in any of the courts of the State of Texas."

Read first time and referred to Judiciary Committee No. 1.

By Senator Hudspeth:

Senate bill No. 390, A bill to be entitled "An Act fixing the number of members constituting the boards of managers of the Lunatic Asylums, the Blind Asylum, the Deaf and Dumb Asylum, the Orphan Asylum, the Confederate Home, the Deaf, Dumb and Blind Asylum for Colored Youths, the Epileptic Colony, the State Institution for the Training of Juveniles, and the Old Woman's Confederate Home; fixing the terms of office of the members and the manner of their appointment; providing for overlapping terms, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

(By unanimous consent after the conclusion of the morning call.)

By Senator Weinert:

Senate bill No. 391, A bill to be entitled "An Act to incorporate the Seguin Independent School District in Guadalupe county, Texas, describing the boundaries, etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Terrell, Real and Brelsford:

Senate bill No. 392, A bill to be entitled "An Act to amend Title 76, Articles 5221, 5222, 5223, 5224, 5225, 5226, 5227, 5228, 5229, 5230, 5231, 5232, 5233 and 5234 of the Revised Civil Statutes of 1911, concerning the management and control of the State Institution for the Training of Juveniles, and to add thereto Article 5224a, making appropriation to carry out the provisions of this act, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Morrow:

Senate bill No. 393, A bill to be entitled "An Act to create a more efficient road system for Hill county, Texas, making county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their compensation as such road commissioners and defining the powers and duties of such county commissioners; providing for the working of county convicts on the public road of said county, providing for officers' fees and awards and penalties of said convicts and awards for capture of escaped convicts and for the payment of the cost and fees to said officers and providing for the employment of the county road superintendent of such county, fixing the salary of said road superintendent; defining the duties of such road superintendent and providing for eminent domain in opening, widening, laying out and straightening and draining public highways in said county and handling and securing material for the construction or maintenance of said public highways in said county, amending Chapter 54 of the Acts of the Legislature of 1901, providing a special road law for Hill county adopting certain provisions of Chapter 2, Title 18 of the general laws of the State of Texas contained in the Revised Statutes thereof adopted in 1911, providing for the defining of districts in said Hill county and for issuing bonds therein and for levying taxes therein for the improvement and maintenance of the public highways therein and for holding elections for said purpose and for levying taxes for the payment of interest and sinking fund, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

SIMPLE RESOLUTION.

By Senator Hudspeth:

Whereas, The Hydrographic or Water Resources branch of the United States Geological Survey has since the year 1898 maintained gauging or measuring stations and rating stations at several points on the principal rivers of Texas, and,

Whereas, The annual report of the United States District Engineer for Texas has been made each year and,

Whereas, Said annual reports have been published from year to year in the

annual reports of the said Survey, and the reports in regard to Texas appear in about one dozen different annual papers, and,

Whereas, Said annual reports are very scarce and difficult to obtain, and,

Whereas, Said data in regard to the Texas streams are of the utmost value to the irrigation interests of the State of Texas, therefore be it

Resolved by the Senate of the State of Texas, That the Senators and Representatives in Congress from Texas be hereby requested to urge the officials of the United States Geological Survey to collect and publish at the earliest possible date in one volume all hydrographic data in regard to the streams of Texas, including gauge heights, rating tables, rating curves, hydrographs and such other kindred data.

The resolution was read and adopted. Morning call concluded.

SENATE BILL NO. 8.

The Chair laid before the Senate the pending business, Senate bill No. 8, the Highway Commission bill, pending from last Tuesday.

Senator McGregor moved that further action on the bill be dispensed with for today and that the bill be made a special order for next Tuesday morning immediately following the conclusion of the morning call, and the motion prevailed.

HOUSE BILL NO. 22—REFUSED TO TAKE UP.

Senator Vaughan moved that the special order of business, Senate bill No. 11, be suspended, and the Senate take up, out of its order, House bill No. 22, the Chair holding that the regular special orders of Senate bills were in order.

The motion was lost by the following vote, a two-thirds vote being required:

Yeas—8.

Brelsford.	Terrell.
Darwin.	Townsend.
Lattimore.	Vaughan.
McGregor.	Warren.

Nays—15.

Bailey.	Cowell.
Carter.	Gibson.
Collins.	Hudspeth.
Conner.	Johnson.

Kauffman.	Weinert.
Morrow.	Westbrook.
Paulus.	Wiley.
Watson.	

Absent.

McNealus.	Murray.
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Absent—Excused.

Astin.	Real
Greer.	Taylor.
Nugent.	Willacy.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 22, A bill to be entitled "An Act amending Chapter 104 of the general laws, passed by the Thirty-second Legislature at its Regular Session, by adding at the end of Section 2, Sections 2a and 2b; prescribing additional duties for the State Inspector of Masonry, Public Buildings and Works, and providing for the appointment of assistants by him, defining their duties and fixing their compensation, and declaring an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

SENATE BILL NO. 11.

The Chair laid before the Senate, on second reading and special order,

Senate bill No. 11, A bill to be entitled "An Act to provide for the compensation of certain employees and their representatives and beneficiaries, for personal injuries sustained in the course of employment, and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid, and to make the payment thereof the more certain and prompt by the creation of an insurance association to insure and guarantee such payments and of an industrial accident board for the investigation of claims and for the justification thereof for consenting parties; fixing the membership and powers of board and its compensation and duties and the method of its appointments and the term of office of its members, and fix-

ing also the powers, duties and liabilities of said insurance association, and the extent of control over the same to be exercised by the Commissioner of Banking and Insurance, and providing for the insurance of damage payments by certain other insurance companies and organizations."

The bill was read and action recurred on the committee report, with (committee) amendments, and the committee report was adopted.

Senator Watson offered the following amendment:

Amend the bill, page 7, by adding after the word "jurisdiction" in line 1, the following: "and all common law rights of defense shall be permitted to be pleaded and proven."

Pending discussion, Senator Collins moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—13.

Brelsford.	McNealus.
Collins.	Terrell.
Darwin.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Westbrook.
McGregor.	

Nays—11.

Bailey.	Murray.
Carter.	Paulus.
Conner.	Watson.
Cowell.	Weinert.
Gibson.	Wiley.
Lattimore.	

Present—Not Voting.

Morrow.

Absent—Excused.

Astin.	Real
Greer.	Taylor.
Nugent.	Willacy.

Senator Vaughan offered the following amendment:

Amend the bill, page 2, line 6, by striking out all after the word "railway."

The amendment was read and adopted.

Senator Cowell offered the following amendment:

Amend the bill by striking out all of line 29, page 1.

Senator Morrow offered the following substitute for the amendment:

Substitute for pending amendment:

Strike out line 29, page 1, and insert the following: "That the contributory

negligence of the employe shall not be a defense."

Pending.

COMPLIMENTARY TO SENATOR VAUGHAN.

Senator Lattimore moved that the Chair appoint a committee to conduct the Senator from Bowie (Vaughan), the Senator from Kaufman (Warren) and the Senator from Lee (Watson) to the desk of the presiding officer to be "castigated for their conduct on the floor of the Senate."

The Chair appointed the Senator from Tarrant (Lattimore), who performed the duty as directed.

Senator Warren, in a speech full of sentiment, compliment and good will, presented to Senator Vaughan, on behalf of the members and employes of the Senate, a gold-handled umbrella of expensive make and pattern.

Senator Watson, concurring in the laudatory remarks of the Senator from Kaufman and adding words on behalf of himself and colleagues, presented Mr. Vaughan, as a further token of regard, with a beautiful penknife with handle of solid gold. Both gifts were inscribed: "Horace W. Vaughan, from the Senate of Texas."

Senator Vaughan expressed his surprise and appreciation, and assured his colleagues that he would ever treasure the tokens, and in the end hand them down to posterity as a rich heritage.

ADJOURNMENT.

Senator Watson, at 1 o'clock p. m., moved that the Senate adjourn until 10 o'clock Monday morning.

Senator Vaughan moved, as a substitute, that the Senate recess until 3 o'clock today.

Action recurred on the longest time first, and the motion to adjourn until 10 o'clock Monday prevailed by the following vote:

Yeas—12.

Carter.	Lattimore.
Conner.	Morrow.
Cowell.	Murray.
Gibson.	Warren.
Hudspeth.	Watson.
Kauffman.	Weinert.

Nays—13.

Bailey.	Brelsford.
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Collins.	Terrell.
Darwin.	Townsend.
Johnson.	Vaughan.
McGregor.	Westbrook.
McNealus.	Wiley.
Paulus.	

Absent—Excused.

Astin.	Real.
Greer.	Taylor.
Nugent.	Willacy.

Note.—When the Senate reconvened on Monday, March 3d, Senator Terrell asked that the Journal be changed so as to show him voting "nay" on the motion to adjourn, and there was no objection, and the Chair directed the Journal be changed.

APPENDIX.

COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred,

Senate bill No. 354, A bill to be entitled "An Act to establish the Terrell State Normal College; providing that the State Board of Education shall control the same; providing for a local board resident in Terrell, Kaufman county, Texas; fixing the time for the opening of said normal college; making an appropriation to purchase and equip the buildings, to pay the salary of the president of said normal college for the year ending August 31, 1914, and to pay the salaries of the president and others employed in or by said college during the year beginning September 1, 1914; providing for the manner in which students shall be appointed to said normal college; providing for a meeting of the State Board of Education for the purpose of establishing departments of said normal college,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

Paulus, Chairman; Weinert, Darwin, Wiley, Johnson, Cowell.

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 391, A bill to be entitled "An Act to incorporate the Seguin Independent School District in Guadalupe county, Texas, for free school purposes only, and describing the boundaries; divesting the city of Seguin of the control of its public schools and title to school property, and vesting the same in the said Seguin Independent School District and its board of school trustees; providing for a board of school trustees for the control and management of the said independent school district; prescribing the rights, power, privileges, and duties of the said Seguin Independent School District, and its board of trustees; providing for a treasurer of school funds of the district, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed,

Paulus, Chairman; Weinert, Darwin, Wiley, Gibson, Johnson.

Committee Room.

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 4, A bill to be entitled "An Act to prevent the pollution of the water courses or other public bodies of water of the State of Texas; providing a penalty therefor, and providing means for the abatement thereof,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred,

Senate bill No. 371, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station at or near Lufkin, in Angelina county, Texas, for the purpose of conducting experiments in fruits, vegetables, grains and other farm crops, and studying soil problems in Angelina county and contiguous counties in the East Texas region of Texas, and disseminating useful information, making necessary appropriation therefor, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the

same back to the Senate with the recommendation that it do pass, and that the bill be not printed.

BRELSFORD, Chairman.

PETITIONS AND MEMORIALS.

By Senator McGregor:

Letter signed by P. H. Callahan, Llano, Texas, setting forth protest against the pending irrigation bill and saying that under its provisions no relief would be afforded the people who are being deprived by reason of the diversion of Llano river water to irrigation uses.

By Senator Lattimore:

Copy of resolutions passed by the young people of the city of Dallas, Texas, upholding the provisions of the Lattimore Sunday amusement regulation measure.

By Lieutenant Governor Mayes:

Invitation from the Athletic Council of the University of Texas to attend athletic exercises on Clark field, Monday, March 3.

By Senators Townsend, Warren and Brelsford:

Letters, petitions and telegrams endorsing the Katy consolidation bill and asking that it be passed over the Governor's veto.

THIRTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,
Monday, March 3, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Rea.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Kauffman.

McGregor.

Absent—Excused.

Astin.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday the same was dispensed with on motion of Senator Darwin.

(See Appendix for petitions and memorials and standing committee reports.)

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 29, the M. K. & T. R. R. Co. consolidation bill, notwithstanding the objection of the Governor, by the following vote, yeas 88, nays 38.

Respectfully,

W. R. LONG,

Chief Clerk House of Representatives.

VETO MESSAGE.

Following is the veto message from the Governor on House bill No. 29:

Governor's Office,
Austin, Texas, February 23, 1913.

To the House of Representatives:

House bill No. 29 was received in the Governor's office on the 6th day of February, 1913. The endorsements on this bill do not show the vote by which it passed the House and Senate. It is presumed, therefore, that there was either no opposition to its passage, or else it passed by a viva voce without roll call.

This bill is entitled an act to authorize the Missouri, Kansas and Texas Railway Company of Texas to lease for a term of not less than twenty-five years the railroads of companies therein named. One of these railroads, to wit: the Texas Central—runs from Waco, McLennan county, westward to Rotan, in Fisher county. Another runs from Egan, in Johnson county, to Cleburne, in the same county; another runs from Denison, in Grayson county, to Bonham in Fannin county; another runs